

Message Text

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C O N F I D E N T I A L SANTIAGO 5742

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FOR ARA, D, P AND L ONLY; PLEASE PASS PROPPER

E. O. 11652: GDS
TAGS: PGOV, SHUM, CI
SUBJECT: LETELIER/MOFFITT ASSASSINATION INVESTIGATION

1. TEN LAWYERS BROUGHT A CRIMINAL ACTION AGAINST MANUEL CONTRERAS JULY 31. THE LAWYERS APPEAR TO BE PREDOMINANTLY CHRISTIAN DEMOCRATIC PARTY (PDCERS) AND THE GROUP INCLUDES WELL-KNOWN PDC IDEOLOGUE JAIME CASTILLO VELASCO. ALL GAVE THEIR ADDRESS AS THAT OF THE VICARIATE OF SOLIDARITY. THE GROUP CHARGES CONTRERAS WITH THE KIDNAPPING OF 69 PERSONS (PRESUMABLY, TAKEN FROM THE VICARIATE'S LIST OF 615 MISSING PERSONS) AND THE DOCUMENTATION PRESENTED TO THE 10TH CRIMINAL COURT TOTALS 300 PAGES.

2. IN THE ABSENCE OF ETCHEBERRY, WHO IS OUT OF TOWN UNTIL THE EVENING OF AUGUST 2, WE TALKED WITH ONE OF HIS PARTNERS, CARLOS BALBONTIN. ACCORDING TO BALBONTIN, THE FACT THAT THIS SUIT HAS BEEN INITIATED WOULD NOT NECESSARILY INTERFERE WITH AN EXTRADITION REQUEST STEMMING FROM THE LETELIER/MOFFITT CASE. THIS LOCAL CASE HAS NOT YET REACHED A STAGE WHERE IT WOULD TAKE PRECEDENT. IF IT DOES REACH THAT STAGE (PRESUMABLY AFTER
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THE JUDGE'S PRELIMINARY INVESTIGATION) PRIOR TO THE REQUEST AND DECISION ON EXTRADITION, THE, ACCORDING TO BALBONTIN, THE JUDGE WOULD STILL DECIDE THE ACTION OF EXTRADITION ON ITS MERITS, BUT A DECISION IN FAVOR OF EXTRADITION COULD NOT BE CARRIED OUT UNTIL THE LOCAL CASE WERE CONCLUDED.

3. COMMENT: WE CANNOT TOTALLY EXCLUDE THAT THIS SUIT AGAINST

CONTRERAS MAY BE GOC-INSPIRED -- AN EFFORT TO RAISE FURTHER
OBSTACLES IN THE WAY OF ANY POSSIBLE CONTRERAS EXTRADITION. GIVEN
THE POLITICAL AFFILIATIONS OF AT LEAST SOME OF THE LAWYERS
AND THE KNOWN INTENSITY OF FEELING OF THE RELATIVES OF THE
DISAPPEARED, HOWEVER, THIS SEEMS UNLIKELY. RATHER, IN THE
KNOWLEDGE OR EXPECTATION THAT THE CONTRERAS (AND OTHER)
INDICTMENTS WERE COMING, THE LOCAL DEFENDERS OF LEGALITY APPEAR
TO HAVE DECIDED THAT CONTRERAS SHOULD NOT BE BROUGHT TO THE
BAR SOLELY AS THE RESULT OF FOREIGN LEGAL ACTION -- THAT
CHILEANS SHOULD ALSO BE SEEN TO BE ACTIVE IN SEEKING JUSTICE.
IF SO, THEY PROBABLY ASSUME THAT EXTRADITION OF CONTRERAS IS NOT
A LIKELY PROSPECT.
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